

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 05 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

BENJAMIN BARBER,

Plaintiff - Appellant,

v.

UNITUS COMMUNITY CREDIT
UNION; et al.,

Defendants - Appellees.

No. 23-35062

D.C. No. 3:22-cv-00134-MO
U.S. District Court for Oregon,
Portland

ORDER

A review of the docket demonstrates that appellant has failed to file the opening brief in this case.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to prosecute.

This order served on the district court shall, 21 days after the date of the order, act as the mandate of this court.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT